



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

April 09, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

39 April 30, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**JOB ORDER CONTRACT NOS. 1301 THROUGH 1311
FOR MAINTENANCE AND REPAIR OF PUBLIC WORKS' INFRASTRUCTURE
ADOPT, ADVERTISE, AND AWARD
IN VARIOUS UNINCORPORATED COMMUNITIES
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to adopt the specified Job Order Contract Unit Price Book and Specifications, authorize the Director of Public Works or her designee to advertise for bids to be received, and award and execute a contract with the lowest responsive and responsible bidder for 11 separate Job Order Contracts.

IT IS RECOMMENDED THAT THE BOARD:

1. Find the award of Job Order Contract Nos. 1301 through 1311 categorically exempt from the California Environmental Quality Act.
2. Adopt the Job Order Contract Unit Price Book and Specifications for 11 separate Job Order Contracts that are on file in the Construction Division of the Department of Public Works as more fully described in the enclosure for work involving maintenance, repair, and refurbishment of Public Works' infrastructure.
3. Authorize the Director of Public Works or her designee to advertise and award 11 separate Job Order Contracts for work involving maintenance, repair, and refurbishment of Public Works' infrastructure for a not-to-exceed amount of \$4.3 million per contract to each of the lowest responsible bidders with responsive bids.

4. Authorize the Director of Public Works or her designee to execute the Job Order Contracts in the form previously approved by County Counsel and to establish the effective date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance certificate filed by the contractors.
5. Delegate to the Director of Public Works or her designee the authority to designate and reject all nonresponsive bids and determine, in accordance with the applicable contract and bid documents, the lowest responsible bidders.
6. Authorize the Director of Public Works or her designee to issue work orders to the selected contractors in an aggregate per Job Order Contract amount not to exceed the maximum amount of each Job Order Contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to provide contract forces to augment the Department of Public Works' (Public Works) ability to effectively and efficiently maintain, repair, and refurbish County infrastructure. Specifically, the work involves guardrail replacement, concrete maintenance, tree trimming/removal, and roadway resurfacing/seal coating.

The Job Order Contract (JOC) is a flexible, cost-effective unit price contracting method to accomplish maintenance, repair, and refurbishment of County of Los Angeles (County) facilities and infrastructure without extensive plans and specifications. The State Public Contract Code allows JOCs to be valid for one year. Public Works will implement the Board-approved Local Worker JOC Program (Program) based on project location in accordance with the intent of the Program. The proposed JOCs will be used for repair, refurbishment, or other repetitive work. We are precluded from using it for new construction pursuant to Section 20128.5 of the State Public Contract Code.

This relatively simple and straightforward process reduces administrative requirements and lowers direct construction costs while meeting State and County procurement requirements. The contracts will be publicly advertised for bids and awarded to the lowest responsive and responsible bidders in accordance with the State Public Contracting Code.

We recommend that the Board authorize the Director of Public Works (Director) or her designee to award the 11 JOCs each not-to-exceed \$4.3 million, following bid review and determination of the lowest responsive and responsible bidders.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by increasing our ability to manage fluctuations in workload in a responsive manner and provide responsive, efficient, and high-quality public service.

FISCAL IMPACT/FINANCING

Maintenance, repair, and refurbishment work may be ordered for and subsequently funded by various Public Works-administered funds. The largest expenditures are anticipated to be derived from the Road Fund. Expenditures from the General Fund, if any, will be included in the General Fund Budget for that fiscal year. Sufficient funds for each JOC work order will be made available in

the appropriate fund prior to authorizing the work.

Public Works will work with the Chief Executive Office (CEO) to quantify any administrative costs attributable to the Program and present any necessary budgetary recommendations to the Board for approval.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contracts will be in the form previously reviewed and approved by County Counsel. The recommended contracts, JOC Nos. 1301 through 1311, will be solicited on an open-competitive basis and in accordance with applicable State and County requirements. The contractors will be in compliance with the requirements of the CEO and the Board.

The award of these contracts will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by demonstrating the attributes of trustworthiness, quality, fitness, capacity, experience to satisfactorily perform the work required under the bid solicitation.

To ensure that each contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The Unit Price Book and Specifications include the contractual provisions, methods, and material requirements necessary for these projects and are on file with Public Works. Enclosed is a description of the scope of work for JOC Nos. 1301 through 1311.

Local Worker Hiring JOC Program

Monitoring of the Program will be provided by Public Works' contract administration staff based on

review of the JOC worksite and individual labor hours in the local area to determine a percentage of hours worked by each of the specific work orders. The contractor will provide certified payroll records for labor forces. These records will be monitored by work order, hours worked, and zip code of the workers to establish the percentage of total work performed by local forces. Public Works will report the results of the Program to the Board each year as part of its annual resolicitation for JOC contractors.

ENVIRONMENTAL DOCUMENTATION

The recommended actions are exempt from California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that its approval may have a significant impact on the environment pursuant to Section 15061(b)(3) of the CEQA Guidelines. The recommended actions are covered by the general rule that CEQA only applies to actions that have a potential for causing a significant effect on the environment. The adoption of the JOC unit price books and specifications and authorization to award JOCs does not include approval of work to be performed under work orders issued pursuant to the contracts.

The implementation of each work order under these JOCs will be subject to prior determination and documentation by Public Works that the work is exempt from CEQA. The type of work to be performed under these JOCs is generally anticipated to be exempt under Section 15301, Class 1, of the CEQA Guidelines as well as Class 1 of the County Environmental Document Reporting Procedures since it involves maintenance of landscaping and maintenance, repair, and refurbishment of roadways. In the event the work under the work orders is not exempt, the Board will be requested to approve the appropriate environmental finding and documentation prior to implementation of work.

Upon the Board's approval of this action, Public Works will file a Notice of Exemption with the County Clerk in accordance with Section 15062 of the CEQA Guidelines.

CONTRACTING PROCESS

These contracts will be contracted on an open-competitive bid basis. A recommendation for award of each JOC by the Director or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, these contracts will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The use of these contracts will expedite the completion of maintenance, repair, and refurbishment of County roads. Minor impacts to adjacent residents, businesses, and motorists may occur while maintenance, repair, and refurbishment work on County roads is underway.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division. If you have any questions, please contact Mr. Harry Cong at (626) 458-3111 or

The Honorable Board of Supervisors

4/9/2013

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hcong@dpw.lacounty.gov.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly distinguishable.

GAIL FARBER

Director

GF:EU:lg

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)

ENCLOSURE

<u>SD</u>	<u>PROJECT ID NO.</u>	<u>JOC</u>	<u>SCOPE OF WORK</u>
All	RMDJOC1301	1301	Roadway resurfacing
All	RMDJOC1302	1302	Roadway seal coating
All	RMDJOC1303	1303	Guardrail replacement
All	RMDJOC1304	1304	Tree trimming and removal
All	RMDJOC1305	1305	Concrete maintenance
All	RMDJOC1306	1306	Concrete maintenance
5	RMDJOC1307	1307	Roadway resurfacing
5	RMDJOC1308	1308	Roadway seal coating
5	RMDJOC1309	1309	Guardrail replacement
5	RMDJOC1310	1310	Tree trimming and removal
5	RMDJOC1311	1311	Concrete maintenance